

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
September 11, 2008

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control (“EQC”).
- II. **SUBJECT:** Administrative and Consent Orders issued during the period July 1, 2008 through July 31, 2008.
- III. **FACTS:** For the period June 1, 2008 through July 31, 2008 EQC issued sixty-four (64) Consent Orders with total assessed civil penalties in the amount of \$1,147,532.00. One (1) Administrative Order was reported during this period with a total assessed civil penalty in the amount of \$1,637.50.

Unless otherwise specified, “Previous Orders” as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

Bureau	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land & Waste Management				
UST Program	0	\$ 0	19	\$ 15,800.00
Solid Waste	0	0	1	350.00
Mining	0	0	1	750.00
Hazardous Waste	0	0	1	17,500.00
SUBTOTAL	0	0	22	\$ 34,400.00
Water				
Drinking Water	1	\$ 1,637.50	5	\$.00
Water Pollution	0	\$ 0	20	173,632.00
SUBTOTAL	1	\$ 1,637.50	25	\$ 173,632.00
*Air Quality				
SUBTOTAL	0	\$ 0	17	\$ 939,500.00
TOTAL	1	\$ 1,637.50	25	\$1,147,532.00

*During the reporting period, Solid Waste Enforcement and Air Quality Enforcement entered into one (1) Joint Consent Order. Water Pollution Enforcement and Air Quality Enforcement also entered into (1) Joint Consent Order. Air Quality Enforcement was credited with both Orders.

ANALYSIS: During the reporting period, Air Quality Enforcement entered into a Consent Order with two Respondents, Grant-Allendale, LP and Grant-Clarendon, LP. Grant-Allendale, LP (Allendale Respondent) currently operates an oriented strand board (OSB) production plant located in Fairfax, South Carolina. The Allendale Respondent has violated

the South Carolina Air Pollution Control Regulations to include, but not limited to: failure to complete a prevention of significant deterioration (PSD) review prior to beginning construction of the OSB plant; failure to limit volatile organic compound and carbon monoxide emissions to less than 250 tons per year; failure to conduct a source test on its furnaces, dryers, press, wet electrostatic precipitators and regenerative thermal oxidizers; failure to properly limit the free formaldehyde content of liquid batch resin; failure to submit a signed statement that the plant is using non hazardous air pollutant coatings; and, failure to operate the selective non-catalytic reduction units whenever emissions from the furnaces and dryers need to be controlled. The Allendale Respondent must submit responses needed for information regarding the PSD permit application; make sure that appropriate emissions control technology is installed and operated properly on all affected sources; comply with all regulations; conduct all source tests properly as outlined in the permit and regulations; submit all required reports on time and make sure they are complete and accurate; properly operate all emissions control equipment according to the permit and regulations; and, operate the OSB plant to minimize emissions. A civil penalty in the amount of six hundred thousand dollars (\$600,000.00) was assessed.

Grant-Clarendon, LP (Clarendon Respondent) is currently in the process of building an OSB plant identical to the Allendale Respondent and is located in Manning, South Carolina. The Clarendon Respondent violated the South Carolina Air Pollution Control Regulations for failure to complete a PSD review before beginning construction of the OSB plant. Construction and emission-generating activities are to be discontinued until all applicable permits have been approved and issued; all information regarding the PSD permit application should be responded to and submitted timely; and all deadlines for information requests must be complied with by the Clarendon Respondent. A civil penalty in the amount of two hundred thousand dollars (\$200,000.00) was assessed.

Water Pollution Enforcement entered into a Consent Order with two Respondents, Cherokee County and Palmetto Grading and Drainage, Inc. Cherokee County owns and is responsible for the roadway, water and wastewater improvements at the Upstate Corporate Industrial Park (Project Berry). Palmetto Grading and Drainage, Inc. is responsible for the installation of a sewer line for Project Berry. Violations of the Pollution Control Act and Water Pollution Control Regulations include an unauthorized discharge of sediment into the environment, including waters of the State and failure to properly install, operate and maintain stormwater, sediment and erosion control devices. The Respondents must submit an engineer's report certifying that all stormwater, sediment and erosion control devices have been installed and properly functioning. A civil penalty in the amount of nine thousand three hundred fifty one dollars (\$9,351.00) was assessed.

Of the sixty-four (64) Consent Orders issued by EQC enforcement programs during the reporting period, all have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

Robert W. King, Jr., P.E.
Deputy Commissioner
Environmental Quality Control